

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 342, FOOD AND DRUGS ACT.

MISBRANDING OF CANNED CORN.

(SHORT WEIGHT.)

On or about November 2, 1907, the Morral Canning Co., of Morral, Ohio, shipped from the State of Ohio to the State of Indiana 600 cases of canned corn. Examination of samples of this product made by the Bureau of Chemistry, United States Department of Agriculture, showed that the product was misbranded within the meaning of the Food and Drugs Act of June 30, 1906. As it appeared from the findings of the analyst and report made that the said shipment was liable to seizure under section 10 of the act, the Secretary of Agriculture reported the facts to the United States Attorney for the District of Indiana. In due course a libel was filed against the said 600 cases of canned corn, charging that they were misbranded, in that a portion of the said 600 cases were labeled "Two Doz. Two Pound Morral Brand Sugar Corn, Packed by Morral Canning Co., Morral, Ohio," and the remainder of said 600 cases were labeled "Two Doz. Two Pound, Emazetta Brand Sugar Corn, Packed by the Morral Canning Co., Morral, Ohio," which statements were false, misleading, and deceptive, and tended to deceive and mislead the purchaser into the belief that each can contained in said cases weighed two pounds, whereas, in fact, each of said cans did not weigh two pounds, but averaged from 26 to 28 ounces.

On March 27, 1909, the Morral Canning Company entered its appearance, filed an answer to the libel, and set up claim to the goods. On May 22, 1909, the case came on for hearing and the court rendered its decree of condemnation and forfeiture, and ordered that the goods be released to claimant on payment of costs and on the filing of a bond, to be approved by the court, conditioned that the goods be not disposed of in violation of the laws of the United States, or of any State, Territory, or insular possession.

This notice is given pursuant to section 4 of the Food and Drugs Act of June 30, 1906.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *May 12, 1910.*

